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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,991	11/30/2000	Chung Liu	PALM-3234	6299
49637 7590 03/19/2010 BERRY & ASSOCIATES P.C. 9229 SUNSET BOULEVARD SUITE 630 LOS ANGELES, CA 90069			EXAMINER EL CHANTIL, HUSSEIN A	
			ART UNIT 2457	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/727,991

Applicant(s)

LIU, CHUNG

Examiner

HUSSEIN A. EL CHANTI

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to RCE received Feb. 22, 2010. Claims 28-41 are pending examination..

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 28-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Cox et al., U.S. Patent No. 6,842,861 (referred to hereafter as Cox).

As to claim 28, Cox teaches a method of updating a plurality of applications and content on an electronic device "handheld computer" from a content server "server" through a host device "client computer", comprising the steps of:

providing a plurality of conduits resident on said host device, where each conduit is for servicing a specific application;

at a time when said electronic device is not coupled to said host device, actuating said conduits for comparing versions of applications and content stored by said host device with current versions of corresponding applications and content on said plurality content servers to determine newer versions of such applications and content residing on said plurality of content servers (see col. 11 lines 46-col. 12 lines 44), ,

passing user identification information regarding the electronic device to the content server (see col. 11 lines 46-col. 12 lines 44);

conduits communicating user identification information regarding the electronic device to the content server (see col. 11 lines 46-col. 12 lines 44);

storing said newer versions from said content server on said host device (see col. 11 lines 46-col. 12 lines 44); and

at a time when said electronic device is actuated for synchronization, actuating said conduits to extract and install said newer versions from said host device on said electronic device (see col. 11 lines 46-col. 12 lines 44);

wherein the newer versions of the applications and content are personalized for the electronic device based on the user identification information (see col. 11 lines 46-col. 12 lines 44).

As to claim 29, Cox teaches a method according to claim 28 wherein said electronic device comprises a device with a screen (see col. 2 lines 56-67).

As to claim 30, Cox teaches a method according to claim 28 wherein said electronic device comprises a personal digital assistant (see col. 2 lines 56-67).

As to claim 31, Cox teaches a method according to claim 28 wherein said electronic device comprises a palm top computer (see col. 2 lines 56-67).

As to claim 32, Cox teaches a method of claim 28 includes docking said electronic device in a cradle coupled to said host device (see col. 3 lines 40-46).

As to claim 33, Cox teaches a method according to claim 28 wherein said content server comprises at least one of the following:

a remote server computer system; a remote computer system; or a computer directly connected to said host device (see col. 11 lines 46-col. 12 lines 44);.

As to claim 34, Cox teaches a system for providing updated applications and content with reference to a content server "server", using a host device and comprising:

providing a plurality of conduits resident on said host device, where each conduit is for servicing a specific application;

at a time when said electronic device is not coupled to said host device, actuating said conduits for comparing versions of applications and content stored by said host device with current versions of corresponding applications and content on said plurality content servers to determine newer versions of such applications and content residing on said plurality of content servers (see col. 11 lines 46-col. 12 lines 44),

passing user identification information regarding the electronic device to the content server (see col. 11 lines 46-col. 12 lines 44);

conduits communicating user identification information regarding the electronic device to the content server (see col. 11 lines 46-col. 12 lines 44);

storing said newer versions from said content server on said host device (see col. 11 lines 46-col. 12 lines 44); and

at a time when said electronic device is actuated for synchronization, actuating said conduits to extract and install said newer versions from said host device on said electronic device (see col. 11 lines 46-col. 12 lines 44);

wherein the newer versions of the applications and content are personalized for the electronic device based on the user identification information (see col. 11 lines 46-col. 12 lines 44).

As to claim 35, Cox teaches a system according to claim 34 wherein said electronic device comprises a device with a display screen (see col. 2 lines 56-67).

As to claim 36, Cox teaches a system according to claim 34 wherein said electronic device comprises a personal digital assistant (see col. 2 lines 56-67).

As to claim 37, Cox teaches a system according to claim 34 wherein said electronic device comprises a palm top computer system (see col. 2 lines 56-67).

As to claim 38, Cox teaches a system of claim 34 includes docking said electronic device in a cradle coupled to said host device (see col. 3 lines 40-46).

As to claim 39, Cox teaches a system according to claim 34 wherein said content server comprises at least one of the following:

a remote server computer system; a remote computer system; or a computer directly connected to said host device (see col. 11 lines 46-col. 12 lines 44).

As to claim 40, Cox teaches the method of claim 28 wherein the content server dynamically generates an updated application that is personalized (see col. 11 lines 46-col. 12 lines 44).

As to claim 41, Cox teaches the system of claim 34 wherein the content server dynamically generates an updated application that is personalized (see col. 11 lines 46-col. 12 lines 44).

3. Claims 28-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Creemer et al., U.S. Patent No. 6,963,883 (referred to hereafter as Creemer).

As to claim 28, Creemer teaches a method of updating a plurality of applications and content on an electronic device “handheld computer” from a content server “server” through a host device “client computer”, comprising the steps of:

providing a plurality of conduits resident on said host device, where each conduit is for servicing a specific application;

at a time when said electronic device is not coupled to said host device, actuating said conduits for comparing versions of applications and content stored by said host device with current versions of corresponding applications and content on said plurality content servers to determine newer versions of such applications and content residing on said plurality of content servers (see col. 8 lines 60-col. 10 lines 41),

passing user identification information regarding the electronic device to the content server (see col. 8 lines 60-col. 10 lines 41);

conduits communicating user identification information regarding the electronic device to the content server (see col. 8 lines 60-col. 10 lines 41);

storing said newer versions from said content server on said host device (see col. 8 lines 60-col. 10 lines 41); and

at a time when said electronic device is actuated for synchronization, actuating said conduits to extract and install said newer versions from said host device on said electronic device (see col. 8 lines 60-col. 10 lines 41);

wherein the newer versions of the applications and content are personalized for the electronic device based on the user identification information (see col. 8 lines 60-col. 10 lines 41).

As to claim 29, Creemer teaches a method according to claim 28 wherein said electronic device comprises a device with a screen (see col. 8 lines 60-col. 10 lines 41).

As to claim 30, Creemer teaches a method according to claim 28 wherein said electronic device comprises a personal digital assistant (see col. 8 lines 60-col. 10 lines 41).

As to claim 31, Creemer teaches a method according to claim 28 wherein said electronic device comprises a palm top computer (see col. 8 lines 60-col. 10 lines 41).

As to claim 32, Creemer teaches a method of claim 28 includes docking said electronic device in a cradle coupled to said host device (see col. 8 lines 60-col. 10 lines 41).

As to claim 33, Creemer teaches a method according to claim 28 wherein said content server comprises at least one of the following:

a remote server computer system; a remote computer system; or a computer directly connected to said host device (see col. 8 lines 60-col. 10 lines 41).

As to claim 34, Creemer teaches a system for providing updated applications and content with reference to a content server "server", using a host device and comprising:

providing a plurality of conduits resident on said host device, where each conduit is for servicing a specific application;

at a time when said electronic device is not coupled to said host device, actuating said conduits for comparing versions of applications and content stored by said host

device with current versions of corresponding applications and content on said plurality content servers to determine newer versions of such applications and content residing on said plurality of content servers (see col. 8 lines 60-col. 10 lines 41),

passing user identification information regarding the electronic device to the content server (see col. 8 lines 60-col. 10 lines 41);

conduits communicating user identification information regarding the electronic device to the content server (see col. 8 lines 60-col. 10 lines 41);

storing said newer versions from said content server on said host device (see col. 8 lines 60-col. 10 lines 41); and

at a time when said electronic device is actuated for synchronization, actuating said conduits to extract and install said newer versions from said host device on said electronic device (see col. 8 lines 60-col. 10 lines 41);

wherein the newer versions of the applications and content are personalized for the electronic device based on the user identification information (see col. 8 lines 60-col. 10 lines 41).

As to claim 35, Creemer teaches a system according to claim 34 wherein said electronic device comprises a device with a display screen (see col. 8 lines 60-col. 10 lines 41).

As to claim 36, Creemer teaches a system according to claim 34 wherein said electronic device comprises a personal digital assistant (see col. 8 lines 60-col. 10 lines 41).

As to claim 37, Creemer teaches a system according to claim 34 wherein said electronic device comprises a palm top computer system (see col. 8 lines 60-col. 10 lines 41).

As to claim 38, Creemer teaches a system of claim 34 includes docking said electronic device in a cradle coupled to said host device (see col. 8 lines 60-col. 10 lines 41).

As to claim 39, Creemer teaches a system according to claim 34 wherein said content server comprises at least one of the following:

a remote server computer system; a remote computer system; or a computer directly connected to said host device (see col. 8 lines 60-col. 10 lines 41).

As to claim 40, Creemer teaches the method of claim 28 wherein the content server dynamically generates an updated application that is personalized (see col. 8 lines 60-col. 10 lines 41).

As to claim 41, Creemer teaches the system of claim 34 wherein the content server dynamically generates an updated application that is personalized (see col. 8 lines 60-col. 10 lines 41).

4. Applicant's arguments have been fully considered but are not persuasive.

Applicant argues in substance that Cox does not teach user identification information regarding electronic device to the content server. In response, Cox states in col. 13-22

The synchronization operation may also begin automatically when the handheld computer 20 is placed in the cradle 24. The handheld computer 20 preferably has a name assigned to it the first time it is synchronized with the personal computer 22. This allows a second handheld computer 20 to be synchronized with the same personal computer 22. The handheld computer 20 may also be synchronized with a second personal computer 22 since

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users often have a personal computer at work and a different personal computer at home.

col. 11 lines 56-60

The update conduit 220 first instructs the file transfer manager 110 to collect software information from the handheld computer 20 (step 252). The update conduit 220 creates a list of applications and content installed on the handheld computer 20 and version information for each application in database 222 (step 254). A menu box is then displayed to the user to determine which applications and content the user wants to update and whether he wants to update the applications and content now or at a later time (step 256).

Col. 12 lines 30-36

The update program 224 transmits the software updates to the handheld computer 20 if the handheld computer is still connected to the client computer 22 (steps 268 and 270). If the handheld computer 20 is not connected to the client computer 22, the client computer stores the software updates in database 222 until the next time it is connected to the handheld computer (step 272).

Cox teaches that the handheld computer has is assigned a name to be identified and synchronized with multiple client computers. In addition, computer 22 collects application data and application versions stored on the handheld computer, creates a list of the applications and content installed on the handheld computer 20, finds and downloads updates to the applications and content already installed on the computer 20, and then connects to the handheld computer 20 to synchronize the updates downloaded from multiple servers. The list of applications and content and the application versions collected from the computer 20 is unique. Also the update version of the programs are downloaded explicitly for computer 20. Also, the name of the

handheld device and the list of applications and content with version numbers identifies the handheld computer 20 and the capabilities of computer 20. Therefore, the updates that are downloaded by computer 22 are personalized for the computer 20 based on the list of applications and content and version numbers which are interpreted to be the claimed "user identification information".

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications and content may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications and content is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hussein El-chant/

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March 11, 2010